

Appl. No. 10/501,169
Amendment and/or Response
Reply to Office action of 20 March 2006

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REMARKS / DISCUSSION OF ISSUES

Claims 1-20 are pending in the application.

The applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

The applicants also thank the Examiner for withdrawing the final rejection of 18 January 2006.

The Office action rejects claims 11-13, 15-18, and 20 under 35 U.S.C. 102(e) over Ma (USP 6,677,709). The applicants respectfully traverse this rejection.

Claim 11, upon which claims 12-20 depend, claims a display device that includes first and second electrodes, light emitting elements that are operably coupled to the plurality of first electrodes, and a foil that includes an electrically conductive layer that is configured to provide selective contact to select elements of the plurality of light emitting elements, wherein the selective contact is determined based on a potential difference between the foil and select second electrodes.

MPEP 2131 states:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Ma does not teach providing selective contact based on a potential difference between the foil and select second electrodes.

The Office action asserts that Ma's electrodes 120 correspond to the applicants' first electrodes, electrodes 170 correspond to the applicants' second electrodes, and foil 180, with conductive layer 190, corresponds to the applicants' foil. Using Ma's reference numerals, the Office action asserts that Ma teaches providing selective contact based on a potential difference between the foil 180/190 and electrodes 170. This is incorrect.

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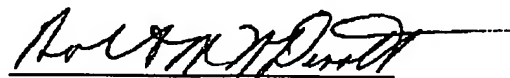
Ma specifically teaches that the selective contact is based on the potential difference between the electrodes 120 and electrodes 170 (Ma, column 5, lines 29-31).

Ma's device is insensitive to the potential difference between the foil 180/190 and the electrodes 170, because the foil 180/190 and electrodes 170 are all part of the same integral structure. That is, Ma's elements 170, 180, and 190 are fixedly attached to each other, and a potential difference among these elements will not cause this structure (170+180+190) to move. To effect any movement of this structure (170+180+190), a potential difference must be established between this structure and an electrode (120) that is removed from this structure. Ma's electrode 120 that is removed from the structure (170+180+190) is coupled to the light emitting elements, and thus corresponds to the applicants' defined first electrode, and cannot be said to correspond to the applicants' claimed second electrode.

Because Ma fails to teach providing selective contact to select elements of the plurality of light emitting elements based on a potential difference between the foil and select second electrodes, as specifically claimed in claim 11, the applicants respectfully maintain that the rejection of claims 11-13, 15-18, and 20 under 35 U.S.C. 102(e) over Ma is unfounded, per MPEP 2131.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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